

REMARKS

Applicant respectfully requests reconsideration of this application as amended. Without limiting the scope of the invention and only in an effort to impart precision to the claims (e.g., by more particularly pointing out the invention, rather than to avoid prior art), claims 1, 3-7, 9-12, 14-15 have been amended as detailed above. Claim 8 has been canceled without prejudice. Accordingly, claims 1-7 and 9-17 remain pending. No new matter is believed to have been introduced hereby. Additionally, this response is believed to fully address all issues raised in the Office Action mailed December 18, 2003.

Objection to the Drawings

The drawings are objected to for containing hand drawn/handwritten material. Submitted herewith are formal drawings addressing this issue.

Also, the drawings are objected to under 37 C.F.R. §1.83(a) for failing to show the multiplexor of claim 17. Replacement figures 3C, 3D, 4A, and 4B are attached hereto illustrating a proposed addition of a processor 363 and a multiplexor 365. Support for this change is provided by the Specification, e.g., at page 19, line 18 through page 20, line 2. Accordingly, it is respectfully submitted that this objection is overcome without introducing any new matter.

Objection to the Specification

As detailed above, the specification has been amended to address the issues raised in the outstanding Office Action. In particular, the disclosure is objected to because it refers to figures 4C and 4D instead of 3C and 3D. Since the specification is amended accordingly, this objection has also been overcome.

Objection to the Claims

Claims 1 and 12 are objected to for informalities. As detailed above, claims 1 and 12 have been amended to address the issues raised in the outstanding Office Action. Also, some of the claims including claims 1 and 5 have been amended to make typographical changes as detailed above. Accordingly, these objections are overcome.

Outstanding Rejections

35 U.S.C. §112, FIRST PARAGRAPH

Claim 17 stands rejected under 35 U.S.C. §112, first paragraph, for failing to comply with the enablement requirement. More specifically, the Office Action refers to language from claim 17 versus the instant application that may be construed as disagreeing.

Without limiting the scope of the invention and only in an effort to impart precision to claim 17 (e.g., by more particularly pointing out the invention, rather than to avoid prior art), claim 17 has been amended as detailed above. It is respectfully submitted that claim 17, as amended, overcomes this rejection.

Furthermore, the Office Action asserts that multiplexing “as known in the art is used to combine signals from different inputs into a single output” and “not typically provide a selecting function as claimed.” In light of the amendment to claim 17, it is believed that this concern is overcome.

However, the applicant hereby seasonally traverses the Office’s assertion that a mutilplexor does not provide a selecting function if there is to be a second Office Action mailed maintaining this rejection. The applicant kindly requests the Examiner to provide a reference in support of this assertion in the Notice, or to otherwise withdraw the rejection.

If the applicant traverses such an assertion, the Examiner should cite a reference in support of his or her position pursuant to M.P.E.P. §2144.03. If the Examiner is basing the Official Notice on the Examiner's personal knowledge, the applicant hereby kindly calls upon the Examiner to set forth the facts in an Examiner's affidavit or to otherwise withdraw the rejection. Moreover, under M.P.E.P. §2144.03; 37 C.F.R. §1.104(d)(2), when a rejection is based on facts within the personal knowledge of the Examiner, the data should be stated as specifically as possible, and the facts must be supported, when called for by the applicant, by an affidavit from the examiner.

35 U.S.C. §112, SECOND PARAGRAPH

Claims 1-10 stand rejected under 35 U.S.C. §112, second paragraph, for indefiniteness. These rejections have been overcome as detailed above.

35 U.S.C. §102(A) AND §103(A)

Claims 1-7 and 11-17 stand rejected under 35 U.S.C. §102(a) and §103(a). It is respectfully submitted that these rejections have been fully addressed hereby.

Allowable Subject Matter

Claims 8-10 are objected to as being dependent upon a rejected base claim and are indicated as allowable if rewritten in independent form including all of the recitations of the base claim and any intervening claims.

As illustrated above, independent claims 1, 11, and 14 have been amended to, in part, recite similar language as the allowable claim 8. Accordingly, claims 1, 11, and 14 are in condition for allowance. Additionally, dependent claims 2-7, 9-10, 12-13, and 15-17 should be allowable for at least

similar reasons as their respective independent claims, as well as additional recitations they contain.

Conclusion

Accordingly, reconsideration and allowance of all claims is respectfully requested. The Examiner is urged to telephone the undersigned if that would expedite prosecution of the application.

Respectfully Submitted,

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